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PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	SPINE 3.0-448 CIP II CONT
First Named Inventor	James D. Ralph
COMPLETE IF KNOWN	
Application Number	10/725,297
Filing Date	December 1, 2003
Group Art Unit	3738
Examiner Name	Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTERVERTEBRAL SPACER DEVICE HAVING A SLOTTED DOMED ARCH STRIP SPRING

(Title of the Invention)

the specification of which

☐ is attached hereto
OR

☒ was filed on (MM/DD/YYYY) 12/01/2003 as United States Application Number or PCT International Application No. 10/725,297 and was amended on (MM/DD/YYYY) (If applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

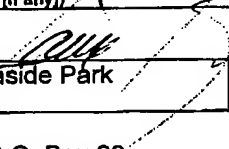
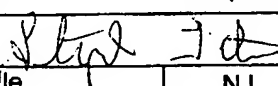
☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

Please type a plus sign (+) inside this box 

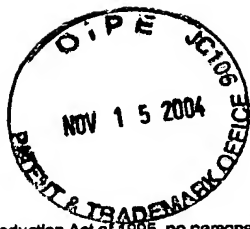
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DECLARATION — Utility or Design Patent Application

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number 000530

Direct all correspondence to:		<input checked="" type="checkbox"/> Customer Number or Bar Code Label	000530	OR <input type="checkbox"/> Correspondence address below
Name				
Address				
City		State		ZIP
Country	Telephone		Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SOLE OR FIRST INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))			Family Name or Surname	
James D.			Ralph	
Inventor's Signature			Date	
			10-15-04	
Residence: City	State	United States of America		Citizenship
Seaside Park	NJ	America		US
Mailing Address:	P.O. Box 99			
City	State	ZIP	Country	
Seaside Park	NJ	08752	United States of America	
NAME OF SECOND INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))			Family Name or Surname	
Stephen			Tatar	
Inventor's Signature			Date	
			10-23-04	
Residence: City	State	United States of America		Citizenship
Montville	NJ	America		US
Mailing Address:	45 Upper Mountain Ave.			
City	State	ZIP	Country	
Montville	NJ	07045	United States of America	
<input checked="" type="checkbox"/> Additional inventors are being named on the <u>1</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.				

LD-537A



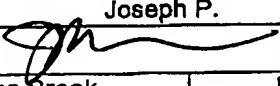
PTO/SB/02A (09-04)

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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet	Page 1 of 1
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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Joseph P.		Errico	
Inventor's Signature 		Date 10/12/04	
Residence: City	State	United States of America	Citizenship
Green Brook	NJ	US	
Mailing Address: 29 Deer Path Circle			
City	State	Zip	Country
Green Brook	NJ	08812	United States of America
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: James D. Ralph, Stephen Tatar, and Joseph P. Errico

Application No./Patent No.: 10/725,297 Filed/Issue Date: December 1, 2003

Entitled: INTERVERTEBRAL SPACER DEVICE HAVING A SLOTTED DOMED ARCH STRIP SPRING

SpineCore, Inc., a _____
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: James D. Ralph, Stephen Tatar, Joseph P. Errico To: SPINECORE, LLC
The document was recorded in the United States Patent and Trademark Office at Reel 012443, Frame 0044, or for which a copy thereof is attached.
2. From: SPINECORE, LLC To: THIRD MILLENNIUM ENGINEERING, LLC
The document was recorded in the United States Patent and Trademark Office at Reel 012850, Frame 0992, or for which a copy thereof is attached.
3. From: THIRD MILLENNIUM ENGINEERING, LLC To: SPINECORE, INC.
The document was recorded in the United States Patent and Trademark Office at Reel 014344, Frame 0937, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Michael J. Doherty
Signature

11/11/04
Date

MICHAEL J. DOHERTY
Printed or Typed Name

908-518-6337
Telephone Number

Authorized Signer for Assignee
Title